

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

CASE NO.: 1:14-cv-05277-ENV-SMG

GOVERNMENT EMPLOYEES INSURANCE  
CO., GEICO INDEMNITY CO., GEICO GENERAL  
INSURANCE COMPANY and GEICO CASUALTY CO.,

Plaintiffs,

vs.

SPECTRUM NEUROLOGY GROUP, LLC,  
OMEGA NEUROLOGICAL ASSOCIATES,  
LLC, MERIDIAN RADIOLOGY ASSOCIATES,  
LLC, PROGRESSIVE DIAGNOSTIC, INC.,  
CLEAR IMAGE, INC.,  
PREMIER PROFESSIONAL SERVICES,  
LLC, COMPREHENSIVE MEDICAL  
GROUP, LLC, PREMIER HEALTH  
SERVICES, LLC,  
THE NEURO GROUP, LLC,  
NEW WAVE DIAGNOSTIC, LLC,  
PALMER MEDICAL, PC,  
NEUROLOGY & RADIOLOGY  
PARTNERS, PA,  
AMERICAN NEUROLOGY & RADIOLOGY, PA,

-and-

BRAD GOLDSTEIN, LAURENCE RUBIN, DENA  
GOLDSTEIN, GLEN SKOLNIK, SUSAN EBY,  
SUSAN WHITI EY, DAVE MANTOR, MELISSA  
MANTOR, RUSSELL PACKARD

-and-

SANFORD DAVIS, ALEXANDER LANDFIELD,  
SAMANTHA MENDELSON, NIZAR SOUAYAH,  
KEVIN CONNOR, MELVIN GROSSMAN, KEVIN DRAKE,

Defendants.

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ OCT 27 2014  
BROOKLYN OFFICE

*Heard*  
*10/29/14*  
*(S)*

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**ANSWER TO THE COMPLAINT**

COMES NOW Defendant, Dr. Melvin Michael Grossman (hereinafter "GROSSMAN"), pursuant to applicable Fed.R.Civ.P., hereby files his Answers and Affirmative Defenses to Plaintiff's Complaint and states as follows:

1. GROSSMAN denies the allegations set forth in paragraphs one through six of the complaint.
2. GROSSMAN lacks sufficient knowledge as to the allegations in paragraph seven, but will deny them so as not to be admitted.
3. GROSSMAN lacks sufficient knowledge as to the allegations in paragraphs eight through forty-four, but will deny them so as not to be admitted.
4. GROSSMAN lacks sufficient knowledge as to the allegations in paragraphs forty-five through sixty-two, but will deny them so as not to be admitted.
5. GROSSMAN lacks sufficient knowledge as to the allegations in paragraphs sixty-three through seventy-seven, but will deny them so as not to be admitted.
6. GROSSMAN admits the allegations in paragraph seventy-eight.
7. GROSSMAN denies the allegations in paragraph seventy-nine.
8. GROSSMAN admits the allegation in regards to having an active practice in Florida, but denies all other allegations in paragraph eighty.
9. GROSSMAN lacks sufficient knowledge as to the allegations in paragraphs eighty-one through eighty-three, but will deny them so as not to be admitted.
10. GROSSMAN lacks sufficient knowledge as to the allegations in paragraphs eighty-four through eighty-five, but will deny them so as not to be admitted.
11. GROSSMAN denies the allegations in paragraphs eighty-six through five hundred seventy-four.

### **AFFIRMATIVE DEFENSE**

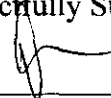
GROSSMAN and his office, Melvin Grossman, M.D., P.A., are in no way employed by or act as an independent contractor for or on behalf of the relevant aforementioned Defendants. GROSSMAN's office is a private business and the relevant aforementioned Defendants have used his services, but only in the capacity of a customer or client. GROSSMAN and his office are in no way related to the relevant aforementioned Defendants in any employer/employee or employer/independent contractor relationship. Furthermore, GROSSMAN has not in the past, nor does he currently diagnose, treat, evaluate, or see any client in New York or from New York on behalf of the relevant aforementioned Defendants. In addition, GROSSMAN has no knowledge of the relevant aforementioned Defendants specific or general intent in regards to any fraudulent activity in any way or for any purpose. GROSSMAN's sole dealings with the relevant aforementioned Defendants was via telephone calls from a company called Clear Image which asked his office to review neurological data and to interpret the data. GROSSMAN never saw any patients or diagnosed, evaluated, treated or saw any persons or patients in regards to this data. GROSSMAN only spoke with the company by phone and would be sent the data sheets by fax. **See Exhibit 1 (Sample Data Sheets from Clear Image).** These data sheets simply contained raw data (i.e. numbers and graphs), a person's name, and their sex. GROSSMAN would only review the data, interpret it, and mail/fax/email back the interpretation results. GROSSMAN would bill them for the work performed. However, Plaintiff's salacious and libelous published accusations in regards to knowledge of fraud and collusion in any fraudulent activity is vehemently denied by GROSSMAN. Furthermore, Plaintiffs have provided no proof whatsoever in regards to their claims against GROSSMAN.

### **CONCLUSION**

For the foregoing reasons, Defendant respectfully requests that the court dismiss this action against defendant GROSSMAN for Plaintiff's abject failure to plead their claims of fraud with any real sufficiency and particularity, as well as their complete failure to provide any evidence at all in regards to their libelous accusations against defendant GROSSMAN.

DATED this 23<sup>rd</sup> day of October, 2014.

Respectfully Submitted,



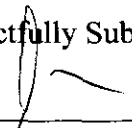
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Melvin M. Grossman  
Melvin M. Grossman, M.D., P.A.  
4700 Sheridan St., Suite U  
Hollywood, Florida 33021  
Tel: (954) 962-6333  
Fax: (954) 963-2442

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing Answer to Complaint was furnished via USPS Express mail on this 24<sup>th</sup> day of October, 2014 to Barry I. Levy (BL 2190), Michael A. Sirignano (MS 5263) and Max Gershenoff (MG 4648) at RIVKIN RADLER LLP, 926 RXR Plaza, Uniondale, New York 11556.

Respectfully Submitted,



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Melvin M. Grossman  
Melvin M. Grossman, M.D., P.A.  
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# EXHIBIT #1

## NERVE CONDUCTION STUDY

Test Date: 6/18/2014 ■ Time: 8:45 AM ■ Session: 1432

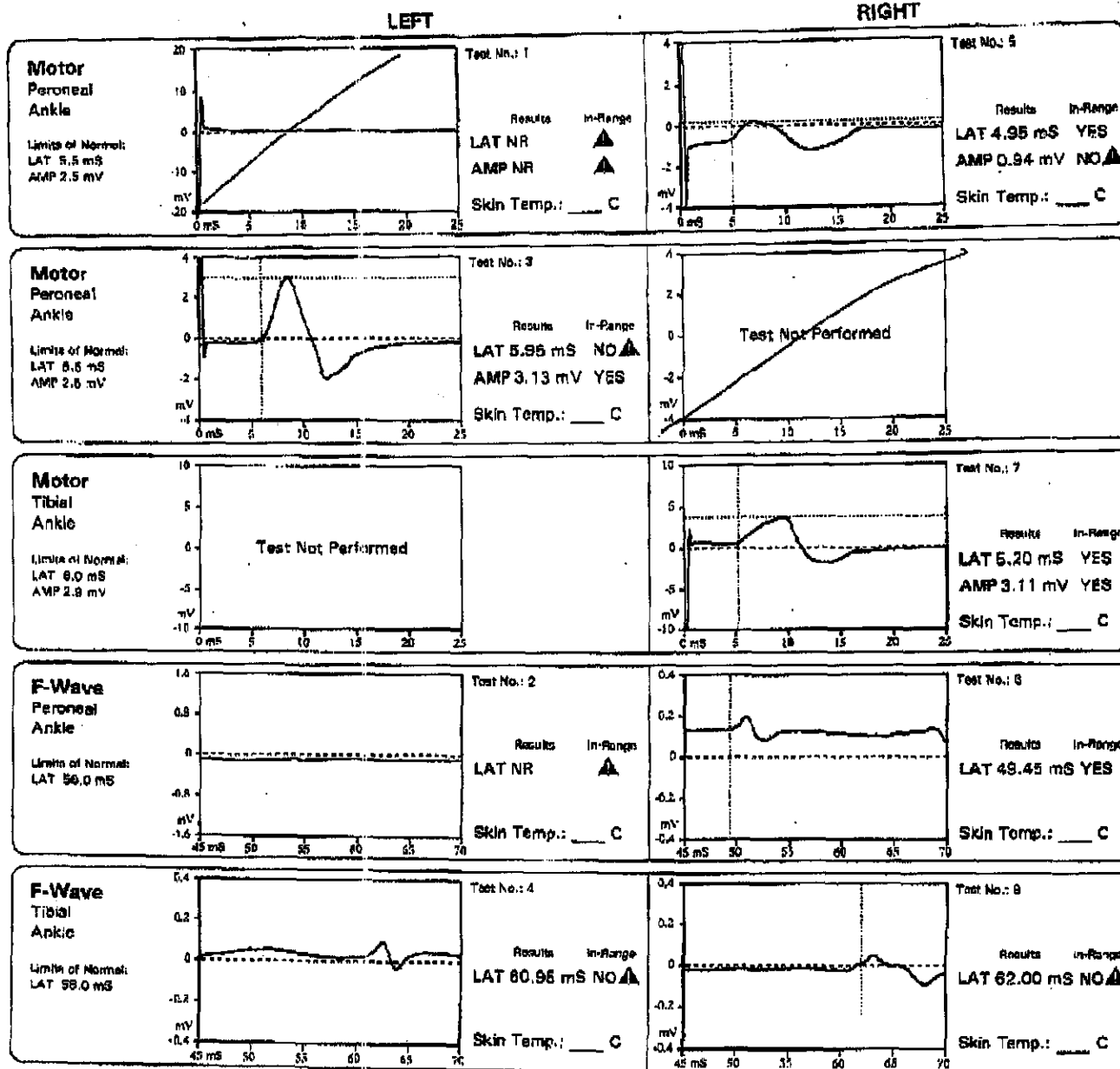
Patient Name: \_\_\_\_\_

Age: \_\_\_\_\_

Height: \_\_\_\_\_

☒ Male☐ Female

ID: \_\_\_\_\_



Comments: Lumbar Pain and spasms  
Numbness weakness left foot

10/24/2014 11:18  
Jul 30 14 01:46p

9549632442  
Clear Image

MELVIN GROSSMAN MD

516-809-7659

Progressive Diagnostics

Session: 1433

Page 1

# NERVE CONDUCTION STUDY

Test Date: 7/30/2014 • Time: 10:52 AM • Session: 1433

Patient Name: \_\_\_\_\_ Age: \_\_\_\_\_ Height: \_\_\_\_\_

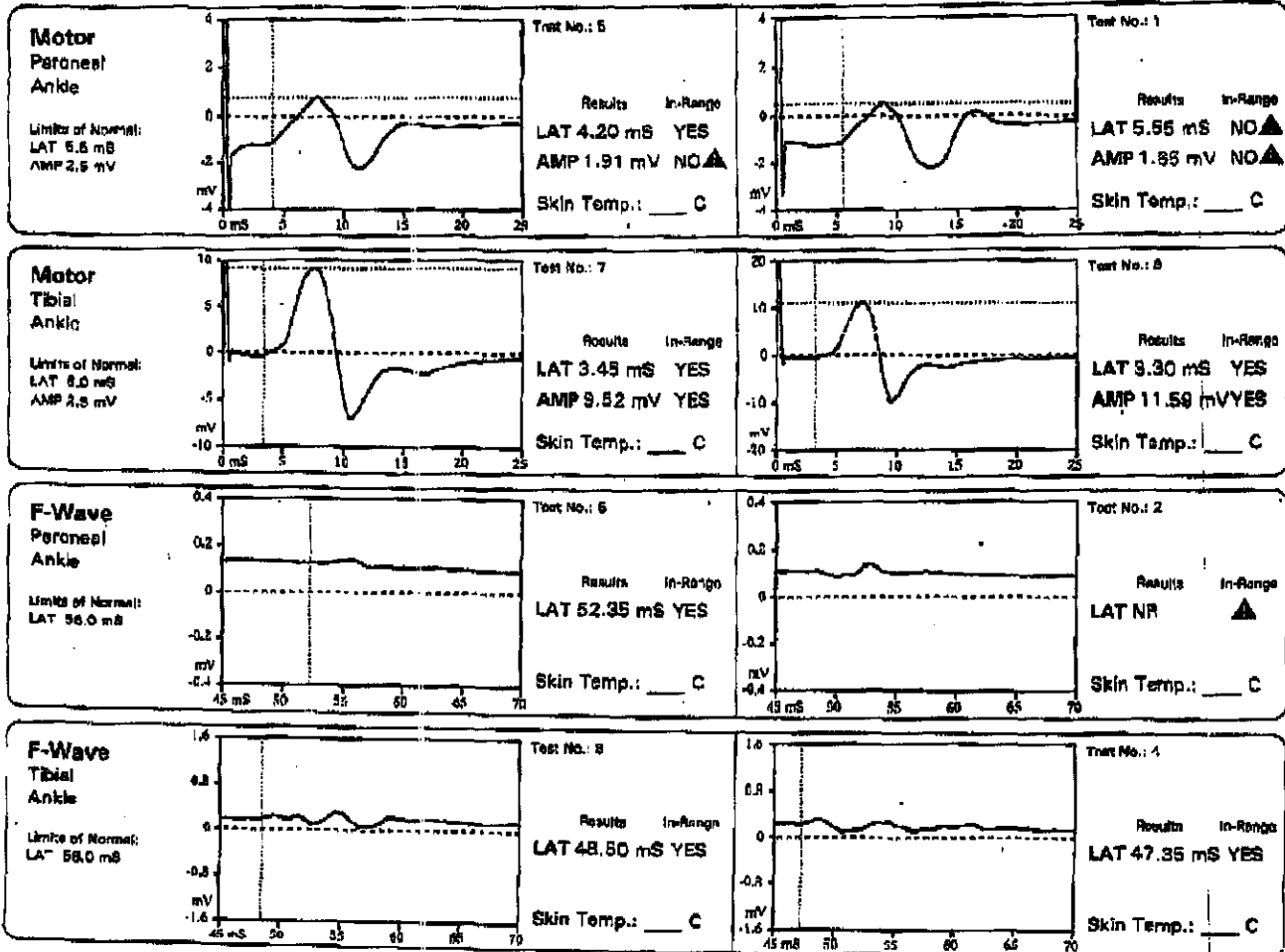
☐ Male

☐ Female

ID: \_\_\_\_\_

## LEFT

## RIGHT



COMMENTS: low back pain radiating down legs

NERVE CONDUCTION STUDY

Test Date: 8/7/2014 Time: 3:22 PM Session: 1434

Patient Name: \_\_\_\_\_

Age: \_\_\_\_\_

Height: \_\_\_\_\_

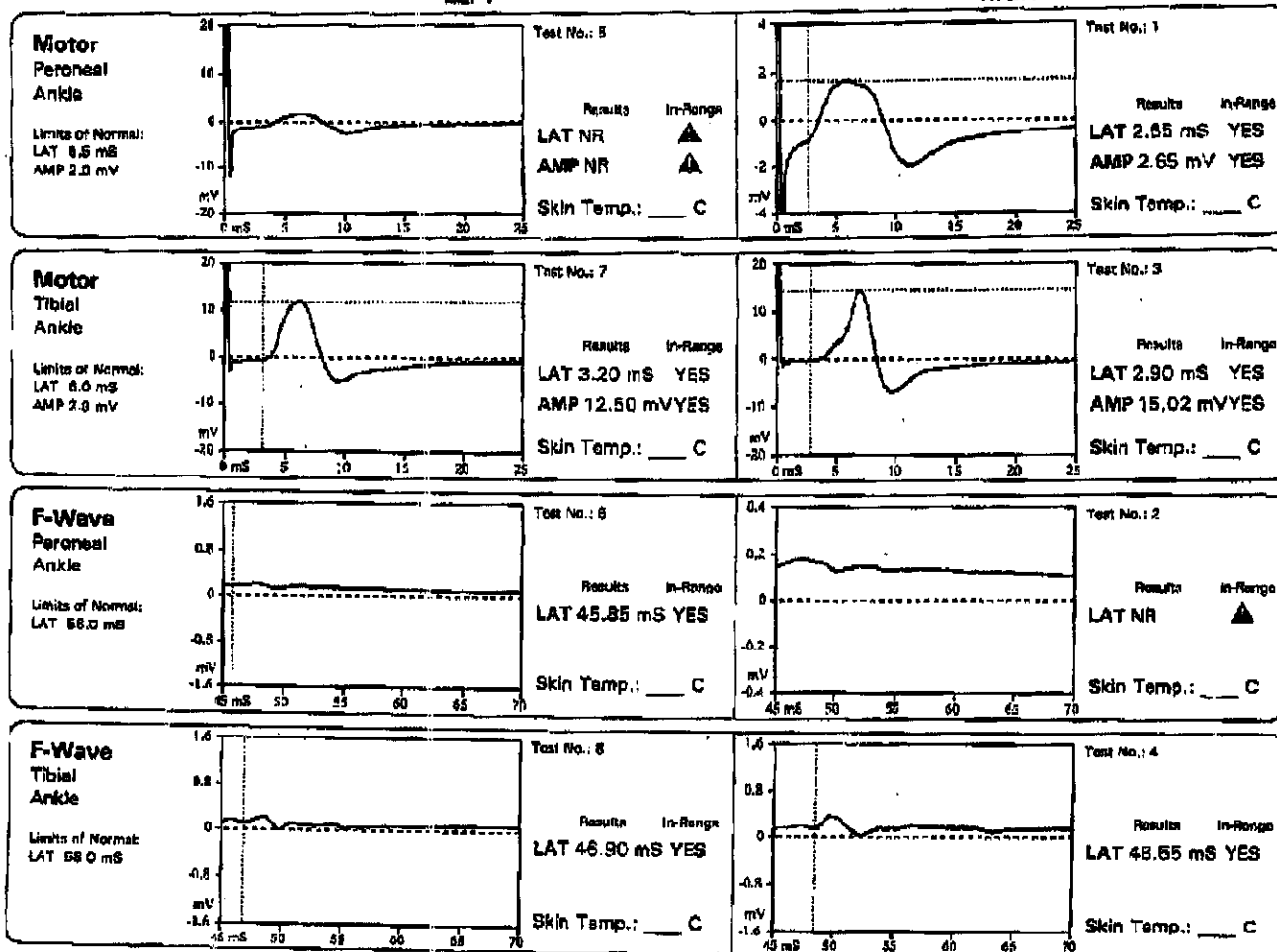
☐ Male

☐ Female

ID: \_\_\_\_\_

LEFT

RIGHT



COMMENTS: Low back pain with occasional numbness in left foot

NERVE CONDUCTION STUDY

Test Date: 8/7/2014 Time: 5:38 PM Session: 1435

Patient Name: \_\_\_\_\_

Age: \_\_\_\_\_

Height: \_\_\_\_\_

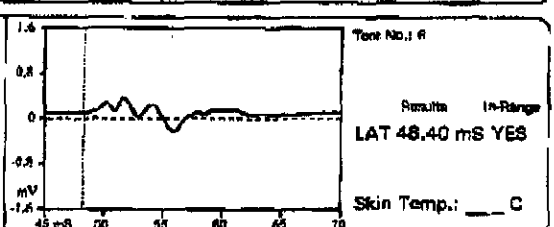
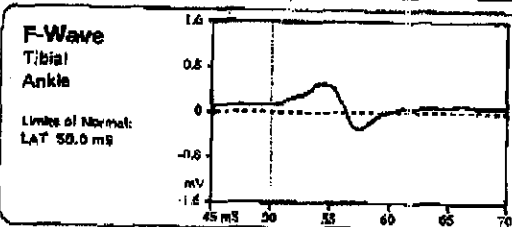
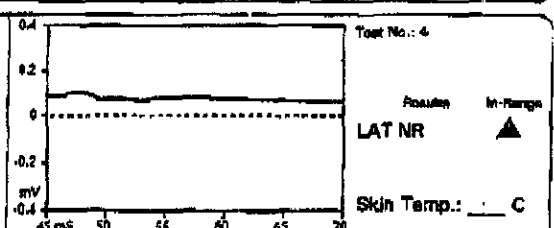
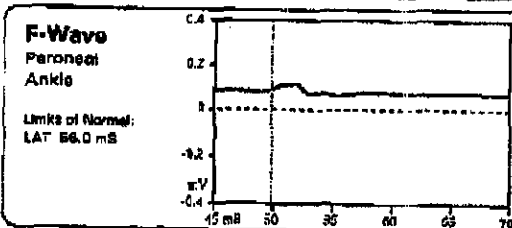
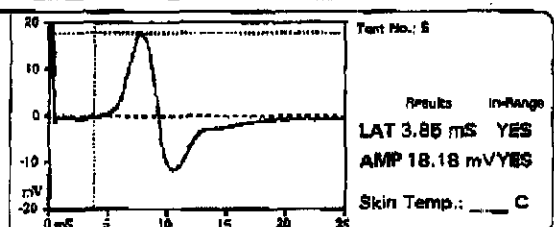
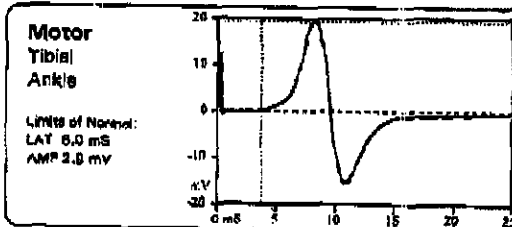
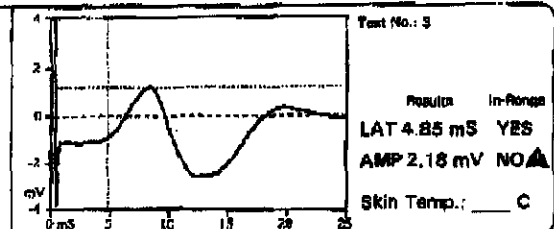
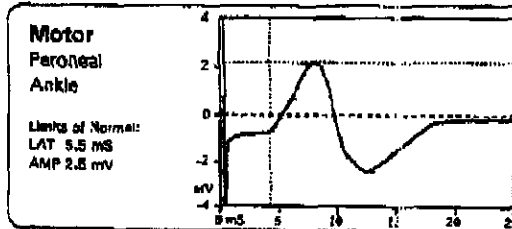
☐ Male

☐ Female

ID: \_\_\_\_\_

LEFT

RIGHT



COMMENTS: low back pain with occasional numbness Down  
RIGHT leg